

Court of Appeals, State of Michigan

ORDER

PEOPLE OF MI v ALFREDO L INGLESIAS

Docket No. 273507

LC No. 00-006182-FH; 00-008598-FC

Joel P. Hoekstra
Presiding Judge

William B. Murphy

Richard A. Bandstra
Judges

Pursuant to MCR 7.205(D)(2), in lieu of granting the delayed application for leave to appeal, we REMAND this case to the Kent Circuit Court for a determination whether defendant is indigent and, if so, for the appointment of appellate counsel within 56 days of the Clerk's entry of this order in light of *Halbert v Michigan*, 545 US 605; 125 S Ct 2582; 162 L Ed 2d 552 (2005). Appointed appellate counsel may file an application for leave to appeal with the Court of Appeals, and/or any appropriate postconviction motions in the trial court, within 12 months of the date of this order, in accordance with the deadlines in effect at the time defendant was denied counsel. MCR 7.205(F)(3), MCR 6.311, and MCR 6.429. Counsel may, but is not required to, include those issues defendant raised in his delayed application for leave to appeal to this Court. We do not retain jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 28 2007

Date

Sandra Schultz Mengel
Chief Clerk